

**U.S. District Court**  
**Middle District of Tennessee (Nashville)**  
**CIVIL DOCKET FOR CASE #: 3:08-cv-00474**

Werner Aero Services v. Champion Laboratories, Inc. et al  
Assigned to: Senior Judge Robert Echols  
Cause: 15:15 Antitrust Litigation

Date Filed: 05/09/2008  
Date Terminated: 08/28/2008  
Jury Demand: Plaintiff  
Nature of Suit: 410 Anti-Trust  
Jurisdiction: Federal Question

**Plaintiff**

**Werner Aero Services**  
*On Behalf Of Itself And All Others Similarly  
Situated*

represented by **Gregory M. Egleston**  
Bernstein, Liebhard & Lifshitz, LLP  
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22nd Floor  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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*TERMINATED: 07/03/2008*

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V.

**Defendant**

**Champion Laboratories, Inc.**

represented by **David L. Johnson**  
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*LEAD ATTORNEY*  
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**Defendant**

**Purolator Filters N.A. L.L.C.**

represented by **Robert Dale Grimes**  
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**Defendant**

**Honeywell International, Inc.**

represented by **David L. Johnson**  
(See above for address)  
*LEAD ATTORNEY*  
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**Defendant**

**Wix Filtration Products**

represented by **Melissa Loney Stevens**  
Baker, Donelson, Bearman, Caldwell  
& Berkowitz, PC  
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**Defendant**

**Cummins Filtration, Inc.**

represented by **Milton S. McGee, III**  
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**Defendant**

**Donaldson Company, The**

represented by **E. Jerome Melson**  
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**Defendant**

**Baldwin Filters, Inc.**

represented by **Darrell Prescott**  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert Earl Boston**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Bosch U.S.A.**

represented by **Joshua Ray Denton**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant****Mann + Hummell U.S.A., Inc.**

represented by **Courtney L. Wilbert**  
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**ATTORNEY TO BE NOTICED**

**Defendant****Arvinmeritor, Inc.**

represented by **Jeffrey J. Switzer**  
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 (615) 259-4685  
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**ATTORNEY TO BE NOTICED**

**Defendant****United Components, Inc.**

represented by **David L. Johnson**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/09/2008	<u>1</u>	COMPLAINT against Mann + Hummell U.S.A., Inc., Arvinmeritor, Inc., United Components, Inc., Champion Laboratories, Inc., Purolator Filters N.A.L.L.C., Honeywell International, Inc., Wix Filtration Products, Cummins Filtration, Inc., Donaldson Company, The, Baldwin Filters, Inc., Bosch U.S.A., filed by Werner Aero Services. (filing fee paid \$350.00) Summons issued. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(rm) (Entered: 05/12/2008)
05/09/2008	<u>2</u>	NOTICE from USDC Clerk regarding Corporate Disclosure Statement requirement. (rm) (Entered: 05/12/2008)

05/09/2008	<u>İ 3</u>	NOTICE of Initial Case Management Conference set for Monday, 6/16/2008 at 12:00 noon in Courtroom 764 before Magistrate Judge Juliet E. Griffin. (rm) (Entered: 05/12/2008)
05/14/2008	<u>İ 4</u>	CORPORATE DISCLOSURE STATEMENT filed by Werner Aero Services. (Sharp, Kevin) (Entered: 05/14/2008)
05/15/2008	<u>İ 5</u>	MOTION for attorney Ronald J. Aranoff to Appear Pro Hac Vice by Werner Aero Services. **PHV FEE PAID ON 5/28/08** (Attachments: # <u>1</u> Certificate of Good Standing)(Sharp, Kevin) Modified Text on 5/16/2008 (dt). Modified Text on 5/28/2008 (dt). (Entered: 05/15/2008)
05/15/2008	<u>İ 6</u>	**DISREGARD THIS ENTRY-ATTY TO REFILE CORRECT CERTIFICATE OF GOOD STANDING** CERTIFICATE OF GOOD STANDING of Attorney Ronald J. Aranoff from the United States District Court for the Appellate Division of the Supreme Court of New York filed by Werner Aero Services. (Sharp, Kevin) Modified Text on 5/16/2008 (dt). (Entered: 05/15/2008)
05/22/2008	<u>İ 7</u>	SUMMONS returned executed by Werner Aero Services. Cummins Filtration, Inc. served on 5/19/2008. (Sharp, Kevin) (Entered: 05/22/2008)
05/22/2008	<u>İ 8</u>	SUMMONS returned executed by Werner Aero Services. Honeywell International, Inc. served on 5/19/2008. (Sharp, Kevin) (Entered: 05/22/2008)
05/22/2008	<u>İ 9</u>	SUMMONS returned executed by Werner Aero Services. Mann + Hummell U.S.A., Inc. served on 5/19/2008. (Sharp, Kevin) (Entered: 05/22/2008)
05/23/2008	<u>İ 10</u>	CERTIFICATE OF GOOD STANDING of Attorney Ronald J. Aranoff from the United States District Court for the Southern of New York filed by Werner Aero Services. (Sharp, Kevin) (Entered: 05/23/2008)
05/23/2008	<u>İ 11</u>	SUMMONS returned executed by Werner Aero Services. United Components, Inc. served on 5/20/2008. (Sharp, Kevin) (Entered: 05/23/2008)
05/23/2008	<u>İ 12</u>	SUMMONS returned executed by Werner Aero Services. Arvinmeritor, Inc. served on 5/20/2008. (Sharp, Kevin) (Entered: 05/23/2008)
05/23/2008	<u>İ 13</u>	SUMMONS returned executed by Werner Aero Services. Baldwin Filters, Inc. served on 5/19/2008. (Sharp, Kevin) (Entered: 05/23/2008)
05/23/2008	<u>İ 14</u>	SUMMONS returned executed by Werner Aero Services. Donaldson Company, The served on 5/20/2008. (Sharp, Kevin) (Entered: 05/23/2008)
05/23/2008	<u>İ 15</u>	SUMMONS returned executed by Werner Aero Services. Wix Filtration Products served on 5/19/2008. (Sharp, Kevin) (Entered: 05/23/2008)
05/23/2008	<u>İ 16</u>	SUMMONS returned executed by Werner Aero Services. Purolator Filters N.A.L.L.C. served on 5/19/2008. (Sharp, Kevin) (Entered: 05/23/2008)
05/28/2008	<u>İ 17</u>	RECEIPT #34675-2692 in the amount of \$75.00 posted by Ronald J. Aranoff, atty for Werner Aero Services, re <u>5</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 05/28/2008)
05/28/2008	<u>İ 18</u>	Summons Returned Unexecuted by Werner Aero Services as to Bosch U.S.A.. (Sharp, Kevin) (Entered: 05/28/2008)
05/28/2008	<u>İ 19</u>	ORDER granting <u>5</u> Motion for Ronald J. Aranoff to Appear Pro Hac Vice. Initial case management conference set for 6/16/08 at 12:00 noon. Stay of discovery is

		Lifted. Prior to the initial case management conference, counsel for the parties shall also confer and shall prepare a proposed, joint initial case management order. Counsel shall e-file the proposed order prior to the initial case management conference. Plaintiff's counsel shall serve a copy of this order upon the defendants or their counsel. Signed by Magistrate Judge Juliet E. Griffin on 5/28/08. (dt) (Entered: 05/28/2008)
06/02/2008	<u>¶ 20</u>	NOTICE of Appearance by Jeffrey J. Switzer on behalf of Arvinmeritor, Inc. (Switzer, Jeffrey) (Entered: 06/02/2008)
06/02/2008	<u>¶ 21</u>	NOTICE of Appearance by Steven Allen Riley and Milton S. McGee on behalf of Cummins Filtration, Inc. (Riley, Steven) Modified Text on 6/3/2008 (dt). (Entered: 06/02/2008)
06/02/2008	<u>¶ 22</u>	Consent MOTION for Extension of Time to File Answer to <u>1</u> Complaint, <i>and Memorandum in Support</i> by Mann + Hummell U.S.A., Inc., Arvinmeritor, Inc., United Components, Inc., Champion Laboratories, Inc., Purolator Filters N.A.L.L.C., Honeywell International, Inc., Wix Filtration Products, Cummins Filtration, Inc., Donaldson Company, The, Baldwin Filters, Inc., Bosch U.S.A.. (Attachments: # <u>1</u> Proposed Order Granting Motion for Extension)(Denton, Joshua) Modified Text on 6/3/2008 (dt). (Entered: 06/02/2008)
06/02/2008	<u>¶ 23</u>	CORPORATE DISCLOSURE STATEMENT filed by Purolator Filters N.A.L.L.C., Bosch U.S.A.. (Denton, Joshua) (Entered: 06/02/2008)
06/03/2008	<u>¶ 24</u>	CORPORATE DISCLOSURE STATEMENT filed by Arvinmeritor, Inc.. (Switzer, Jeffrey) (Entered: 06/03/2008)
06/03/2008	<u>¶ 25</u>	MOTION to Stay <i>All Pretrial Proceedings pending the Multidistrict Litigation Motion to Consolidate and Transfer</i> by Mann + Hummell U.S.A., Inc., Arvinmeritor, Inc., United Components, Inc., Champion Laboratories, Inc., Purolator Filters N.A. L.L.C., Honeywell International, Inc., Wix Filtration Products, Cummins Filtration, Inc., Donaldson Company, The, Baldwin Filters, Inc., Bosch U.S.A.. (Attachments: # <u>1</u> Memorandum of Law in Support of Defendants' Motion to Stay Pretrial Proceedings Pending the Multidistrict Litigation Motion to Consolidate and Transfer, # <u>2</u> Collective Exhibit 1 to Memorandum of Law: Motion Papers Submitted by Lovett Auto to the MDL Panel, # <u>3</u> Collective Exhibit 2 to Memorandum of Law: Motion Papers Submitted by SEQuick Lube and others to the MDL Panel, # <u>4</u> Collective Exhibit 3 to Memorandum of Law: Joinder Papers Submitted by Neptune Warehouse Distributors, Inc. to the MDL Panel, # <u>5</u> Collective Exhibit 4 to Memorandum of Law: Motion Papers Submitted by Big T Inc. and Manasek Auto Parts, Inc. to the MDL Panel, # <u>6</u> Exhibit 5 to Memorandum of Law: Joint Memorandum Submitted by Worldwide Equipment, Inc. and Central Warehouse Sales Corp. to the MDL Panel, # <u>7</u> Proposed Order Granting Motion to Stay)(Denton, Joshua) (Entered: 06/03/2008)
06/04/2008	<u>¶ 26</u>	CORPORATE DISCLOSURE STATEMENT filed by Cummins Filtration, Inc.. (Riley, Steven) (Entered: 06/04/2008)
06/04/2008	<u>¶ 27</u>	<b>**DISREGARD THIS ENTRY-ATTY REFILED CORRECT DOCUMENT-SEE DE# 32**</b> CORPORATE DISCLOSURE STATEMENT filed by Champion Laboratories, Inc.. (Johnson, David) Modified Text on 6/6/2008 (dt). (Entered: 06/04/2008)
06/04/2008	<u>¶ 28</u>	CORPORATE DISCLOSURE STATEMENT filed by United Components, Inc.. (Johnson, David) (Entered: 06/04/2008)

06/04/2008	<u>¶ 29</u>	NOTICE of Appearance by David L. Johnson on behalf of United Components, Inc., Champion Laboratories, Inc., Honeywell International, Inc. (Johnson, David) (Entered: 06/04/2008)
06/05/2008	<u>¶ 30</u>	ORDER granting <u>22</u> Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint. Defendants shall have until 7/9/08 to file a response to the complaint. Therefore, and as a result of the defendants' motion to stay, the 6/16/08, initial case management conference is CANCELLED, and a telephone conference call is scheduled in lieu thereof on Monday, 6/16/08, at 12:00 noon, central time, to be initiated by counsel defendants Purolator Filters and Robert Bosch, to address the defendants' motion to stay, the status of the request to transfer this case, whether the plaintiff will object to such transfer, to reschedule the initial case management conference, if appropriate, and any other appropriate matters. Signed by Magistrate Judge Juliet E. Griffin on 6/5/08. (dt) (Entered: 06/05/2008)
06/05/2008	<u>¶ 31</u>	CORPORATE DISCLOSURE STATEMENT filed by Mann + Hummell U.S.A., Inc., Arvinmeritor, Inc., United Components, Inc., Champion Laboratories, Inc., Purolator Filters N.A. L.L.C., Honeywell International, Inc., Wix Filtration Products, Cummins Filtration, Inc., Donaldson Company, The, Baldwin Filters, Inc., Bosch U.S.A.. (Boston, Robert) (Entered: 06/05/2008)
06/06/2008	<u>¶ 32</u>	CORPORATE DISCLOSURE STATEMENT filed by United Components, Inc., Champion Laboratories, Inc.. (Johnson, David) (Entered: 06/06/2008)
06/06/2008	<u>¶ 33</u>	NOTICE of Appearance by Patrick M. Barrett, III on behalf of Werner Aero Services (Barrett, Patrick) (Entered: 06/06/2008)
06/09/2008	<u>¶ 34</u>	Joint MOTION for Entry of Agreed Order to Extend Time to File Answer <u>1</u> Complaint and to Stay Discovery by Purolator Filters N.A. L.L.C.. (Attachments: # <u>1</u> Proposed Order Agreed Order to Extend time to respond to Complaint and to Stay Discovery)(Denton, Joshua) Modified Text on 6/9/2008 (dt). (Entered: 06/09/2008)
06/09/2008	<u>¶ 35</u>	NOTICE of Appearance by Courtney L. Wilbert on behalf of Mann + Hummell U.S.A., Inc. (Wilbert, Courtney) (Entered: 06/09/2008)
06/09/2008	<u>¶ 36</u>	CORPORATE DISCLOSURE STATEMENT filed by Mann + Hummell U.S.A., Inc.. (Wilbert, Courtney) (Entered: 06/09/2008)
06/12/2008	<u>¶ 37</u>	ORDER granting <u>34</u> Joint MOTION for Entry of Agreed Order to Extend of Time to File Answer to <u>1</u> Complaint and to Stay. Telephone conference set for 6/16/08 is Cancelled. Parties' agreed order submitted with the motion is contemporaneously entered. However, defendants Purolator Filters N.A. L.L.C. and Robert Bosch LLC shall file a status report by 8/15/08, advising the Court of the status of the motion to transfer. Signed by Magistrate Judge Juliet E. Griffin on 6/12/08. (dt) (Entered: 06/12/2008)
06/12/2008	<u>¶ 38</u>	AGREED ORDER TO EXTEND TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT AND TO STAY DISCOVERY: The Court's 6/5/08 Order is modified as follows: Defendant's answer shall be extended until the earliest of the following dates: 1) if this case is transferred to another district pursuant to the MDL Order, or 2) if this case is not transferred to another district pursuant to the MDL Order, thirty days after the Order, provided, however, that in the event that any undersigned defendant should answer, agree or be ordered to answer, move or otherwise respond to the complaint in any of the Filters Cases prior to the response date, then that defendant shall respond to the complaint in the Plaintiff's Action by that earlier date. All proceedings in this action are stayed until 1) this case is transferred pursuant to MDL Order or 2) if this case is not transferred to another



		district pursuant to MDL Order, thirty days after Defendants have answered complaint in Plaintiff's Action. Signed by Magistrate Judge Juliet E. Griffin on 6/12/08. (dt) (Entered: 06/12/2008)
06/25/2008	<u>¶ 39</u>	MOTION to Substitute Attorney by Werner Aero Services. (Sharp, Kevin) (Entered: 06/25/2008)
06/27/2008	<u>¶ 40</u>	NOTICE of Appearance by Robert Dale Grimes on behalf of Purolator Filters N.A. L.L.C. (Grimes, Robert) (Entered: 06/27/2008)
07/03/2008	<u>¶ 41</u>	ORDER: Plaintiff's Motion to Substitute Attorney <u>39</u> is Granted. The Clerk is directed to terminate Kevin H. Sharp as counsel for the plaintiff, and to send him a copy of this order. Attorney Kevin H. Sharp terminated. Signed by Magistrate Judge Juliet E. Griffin on 7/3/08. (dt) (Entered: 07/03/2008)
07/30/2008	<u>¶ 42</u>	NOTICE of Appearance by Alfred H. Davidson, IV on behalf of Werner Aero Services (Davidson, Alfred) (Entered: 07/30/2008)
08/15/2008	<u>¶ 43</u>	STATUS REPORT regarding Motion to Transfer by Purolator Filters N.A. L.L.C., Bosch U.S.A. re <u>37</u> Order. (Denton, Joshua) Modified Text on 8/18/2008 (dt). (Entered: 08/15/2008)
08/18/2008	<u>¶ 44</u>	ORDER: Pursuant to the order entered 6/12/08 <u>37</u> , defendants Purolator Filters N.A. L.L.C. and Robert Bosch LLC filed a status report <u>43</u> . By 9/2/08, defendants Purolator Filters N.A. L.L.C. and Robert Bosch LLC shall file another status report. Although no formal notice of appearance has been entered by counsel for defendants Wix Filtration Products, The Donaldson Company, or Baldwin Filters, Inc., in accord with Local Rule 83.01(f)(1), the Clerk shall enter the following counsel: For defendant Baldwin Filters, Inc.: Robert E. Boston and Darrell Prescott. For defendant Wix Filtration Products: Melissa Loney Stevens. For defendant The Donaldson Company: E. Jerome Melson. The Clerk is directed to send a copy of this order to the above attorneys. Defendants' Motion to Stay <u>25</u> was effectively Granted by order entered 6/12/08 <u>37</u> , and thus the Clerk is directed to terminate the motion to stay <u>25</u> as pending. Signed by Magistrate Judge Juliet E. Griffin on 8/18/08. (dt) (Entered: 08/19/2008)
08/19/2008	<u>¶ 45</u>	Letter from Clerk to Atty Darrell Prescott re compliance with Local Rule 83.01. (dt) (Entered: 08/19/2008)
08/25/2008	<u>¶ 46</u>	STATUS REPORT AND NOTICE OF ENTRY OF TRANSFER ORDER by Purolator Filters N.A. L.L.C., Bosch U.S.A. re <u>44</u> Order on Motion to Stay. (Attachments: # <u>1</u> Exhibit Exhibit A: August 18, 2008, Transfer Order)(Denton, Joshua) Modified Text on 8/26/2008 (dt). (Entered: 08/25/2008)
08/25/2008	<u>¶ 47</u>	CERTIFIED COPY OF MDL TRANSFER ORDER rec'd this date from the Northern District of Illinois (MDL 1957 In Re Aftermarket Filters Antitrust Litigation). This case is ready for closing/transfer. Proposed order forwarded to chambers for consideration. (af) (Entered: 08/25/2008)
08/26/2008	<u>¶ 48</u>	ORDER: The Clerk is directed to forward the file in this case to the Honorable Robert L. Echols for entry of a transfer order upon receipt by the Clerk of this District of a certified copy of the MDL order from the Northern District of Illinois. Unless otherwise directed by the Court or upon motion of the parties, there will be no further proceedings before the Magistrate Judge in this case. Judge Magistrate Judge Juliet E. Griffin no longer assigned to case. Signed by Magistrate Judge Juliet E. Griffin on 8/25/08. (dt) (Entered: 08/26/2008)



08/28/2008	<u>I 49</u>	ORDER: Pursuant to the order of the Judicial Panel on Multidistrict Litigation, Docket No. 1957, this case is hereby transferred to the United States District Court for the Northern District of Illinois for coordinated or consolidated pretrial proceedings. The Clerk of Court is directed to close the case on the records of this Court and transmit the record to the United States District Court for the Northern District of Illinois. Signed by Senior Judge Robert Echols on 8/28/08. (dt) (Entered: 08/28/2008)
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